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Third Party Plaintiffs PCJV USA, LLC, PCI  
TRADING LLC, POTATO CORNER, LA  
GROUP, LLC, GK CAPITAL GROUP, LLC,  
NKM CAPITAL GROUP, LLC and GUY  
KOREN, and Defendants J & K AMERICANA,  
LLC, J&K LAKEWOOD, LLC, J&K  
OAKRIDGE, LLC, J&K VALLEY FAIR, LLC, J  
& K ONTARIO, LLC, J&K PC TRUCKS, LLC,  
HLK MILPITAS, LLC, and GK CERRITOS, LLC

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

SHAKEY'S PIZZA ASIA VENTURES,  
INC, a Philippines corporation,

Plaintiff,

vs.

PCJV USA, LLC, a Delaware limited  
liability company; PCI TRADING , LLC, a  
Delaware limited liability company; GUY  
KOREN, an individual; POTATO CORNER  
LA GROUP, LLC, a California limited  
liability company; NKM CAPITAL GROUP,  
LLC, a California limited liability company;  
J & K AMERICANA, LLC, a California  
limited liability company; J&K  
LAKEWOOD, LLC, a California limited  
liability company; J&K VALLEY FAIR,  
LLC, a California limited liability company;  
J & K ONTARIO, LLC, a California limited  
liability company; HLK MILPITAS, LLC, a  
California, limited liability company; GK  
CERRITOS, LLC, a California, limited  
liability company; J&K PC TRUCKS, LLC,  
a California limited liability company; and,  
GK CAPITAL GROUP, LLC, a California

Case No. 2:24-CV-04546-SB(AGRx)

*Hon. Stanley Blumenfeld, Jr.*

**PROPOSED ORDER ON  
MOTION OF DEFENDANTS FOR  
SUMMARY JUDGMENT IN  
ACCORDANCE WITH DKT. NO.  
308**

Complaint Filed: May 31, 2024  
Trial Date: September 26,  
2025

1 limited liability company and DOES 1  
through 100, inclusive,

2 Defendants.

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4 PCJV USA, LLC, a Delaware limited  
liability company; PCI TRADING LLC, a  
5 Delaware limited liability company;  
POTATO CORNER LA GROUP LLC, a  
6 California limited liability company; GK  
CAPITAL GROUP, LLC, a California  
7 limited liability company; NKM CAPITAL  
GROUP LLC, a California limited liability  
8 company; and GUY KOREN, an individual,

9 Counter-Claimants,

10 v.

11 SHAKEY'S PIZZA ASIA VENTURES,  
INC, a Philippines corporation,

12 Counter Defendant.

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14 PCJV USA, LLC, a Delaware limited  
liability company; PCI TRADING LLC, a  
15 Delaware limited liability company;  
POTATO CORNER LA GROUP LLC, a  
16 California limited liability company; GK  
CAPITAL GROUP, LLC, a California  
17 limited liability company; NKM CAPITAL  
GROUP LLC, a California limited liability  
18 company; and GUY KOREN, an individual,

19 Third Party Plaintiffs,

20 v.

21 PC INTERNATIONAL PTE LTD., a  
Singapore business entity; SPAVI  
22 INTERNATIONAL USA, INC., a California  
corporation; CINCO CORPORATION, a  
23 Philippines corporation; and ROES 1 through  
10, inclusive,

24 Third Party Defendants.

**[PROPOSED] ORDER**

The Court, having considered the Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment filed by Defendants PCJV USA, LLC; PCI Trading LLC; Potato Corner LA Group, LLC; GK Capital Group, LLC; NKM Capital Group, LLC; Guy Koren; J & K Americana, LLC; J&K Lakewood, LLC; J&K Oakridge, LLC; J&K Valley Fair, LLC; J & K Ontario, LLC; J&K PC Trucks, LLC; HLK Milpitas, LLC; and GK Cerritos, LLC (collectively, “Defendants”), all papers filed in support and opposition, the arguments of counsel, and the record in this action, and good cause appearing,

IT IS HEREBY ORDERED that Defendants’ Motion for Summary Judgment is GRANTED. Judgment shall be entered in favor of Defendants and against Plaintiff Shakey’s Pizza Asia Ventures, Inc. (“SPAVI”) on all claims asserted by Plaintiff in this action.

In the alternative, should the Court determine that summary judgment is not warranted as to all claims, the Court GRANTS Defendants’ Motion for Partial Summary Judgment as follows:

1. The Court finds as a matter of law that Defendants’ use of the Potato Corner marks in the United States was authorized and with consent;
2. The Court finds as a matter of law that Plaintiff cannot prove a valid assignment including the goodwill of the U.S. business;
3. The Court finds as a matter of law that Plaintiff’s claims are barred, in whole or in part, by settlement, release, and estoppel arising from the 2024 Settlement and Membership Interest Purchase Agreement and related releases binding successors and affiliates;
4. The Court finds as a matter of law that Plaintiff cannot establish ownership or the “without consent” element required for its claims of trademark infringement, false designation, and unfair competition; and/or

1 5. The Court denies Plaintiff's requested injunctive and declaratory relief as a  
2 matter of law on the grounds above.

3 The Court directs the Clerk to enter judgment accordingly.

4 **IT IS SO ORDERED.**

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6 Dated: \_\_\_\_\_

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7 Hon. Stanley Blumenfeld, Jr.  
8 United States District Judge  
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